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9 **UNITED STATES BANKRUPTCY COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**
11 **SANTA ANA DIVISION**

12 In re:) Case No.: 8:17-bk-10265 MW
13)
14 **RALPH E. SANDERS,**) Chapter 7
15) Debtor.)
16) **AMENDED STIPULATION TO EXTEND**
17) **THE DEADLINE FOR FILING A**
18) **MOTION TO DISMISS PURSUANT TO**
19) **11 U.S.C. §707(b) AND/OR AN**
20) **ADVERSARY COMPLAINT OBJECTING**
21) **TO THE DEBTOR'S DISCHARGE**
22) **PURSUANT TO 11 U.S.C. § 727 FOR THE**
23) **UNITED STATES TRUSTEE AND**
24) **CHAPTER 7 TRUSTEE ONLY**
25)
26)
27) [No Hearing Required]
28)

22 **TO THE HONORABLE MARK S. WALLACE, UNITED STATES BANKRUPTCY**
23 **JUDGE, DEBTOR AND ALL INTERESTED PARTIES:**

24 The United States Trustee ("United States Trustee"), Weneta M.A. Kosmala, the Chapter 7
25 trustee (the "Trustee") for the bankruptcy estate (the "Estate") of Ralph E. Sanders (the "Debtor"),
26 and Ralph E. Sanders, enter into this Stipulation to Extend Deadline for Filing a Motion to Dismiss
27 Pursuant to 11 U.S.C. § 707(b) and/or an Adversary Complaint Objecting to Debtor's Discharge
28

1 Pursuant to 11 U.S.C. § 727 (the “Stipulation”) for the United States Trustee and Chapter 7 Trustee
2 Only. In support of the Stipulation, the parties refer to the following recitals:

3 **RECITALS**

4 A. The Debtor filed a petition for relief under Chapter 7 of the Bankruptcy Code on January
5 25, 2017. Weneta M.A. Kosmala was appointed Chapter 7 trustee.

6 B. The United States Trustee and Chapter 7 Trustee were informed that the Debtor received
7 at least \$98,600.00 pre-petition as a beneficiary of the Bobbeye J. Rives Trust (the
8 “Trust”). The Debtor also owns an unscheduled business named Robbie Bobbeye
9 Housing, Inc. During the initial meeting of creditors under § 341(a) held on March 9,
10 2017, the United States Trustee and Chapter 7 Trustee requested documentation and/or
11 information from the Debtor regarding his financial affairs.

12 C. As of the date of the filing of this Stipulation, the Debtor has produced certain requested
13 documentation and/or information, but the United States Trustee and Chapter 7 Trustee
14 are still missing certain documentation regarding the Debtor’s financial affairs. On
15 April 25, 2017, the Debtor filed an Amended Schedule B to disclose his beneficiary
16 interest in the Trust. But the Debtor has yet to amend his Statement of Financial Affairs
17 to disclose all the income received in the two-year period prior to his bankruptcy
18 petition, and his interest in Robbie Bobbeye Housing, Inc.

19 D. The current § 341(a) meeting of creditors is continued to May 25, 2017.

20 E. The United States Trustee and Chapter 7 Trustee need additional time to investigate this
21 case and allegations regarding the Debtor. The United States Trustee and Chapter 7
22 Trustee also need additional time to review the documentation produced by the Debtor.
23 Therefore, the United States Trustee and Chapter 7 Trustee are seeking an extension of
24 time to file a complaint objecting to the Debtor’s discharge under § 727 and/or to file a
25 motion to dismiss the Debtor’s case under § 707(b).

26 F. Based on the foregoing, the United States Trustee and the Trustee request an extension
27 of the deadline for filing a motion to dismiss the case under 11 U.S.C. § 707(b), and/or a
28 complaint objecting to discharge under 11 U.S.C. § 727 through and including August 8,

1 2017, so that a determination can be made regarding whether an objection to discharge
2 or dismissal is appropriate.

3 ACCORDINGLY, SUBJECT TO THE COURT'S APPROVAL OF THIS
4 STIPULATION, IT IS HEREBY STIPULATED THAT:

5 1. The above recitals are incorporated herein by this reference; and

6 2. The deadline to file a complaint to deny the Debtor's discharge under 11 U.S.C. § 727

7 and/or a motion to dismiss the Debtor's case under 11 U.S.C. § 707(b)(2) and §

8 707(b)(3) shall be extended from the current deadline of May 8, 2017, through and

9 including August 8, 2017 for the United States Trustee and Chapter 7 Trustee Only.

DATED: May 8, 2017

PETER C. ANDERSON
UNITED STATES TRUSTEE

By: QUEENIE K. NC
Trial Attorney

5 Dated: May 2, 2017

LOBEL WEILAND GOLDEN FRIEDMAN
LLP

By

REEM J. BELLO
Attorney for Weneta M.A. Kosimala
Chapter 7 Trustee

Dated: May 2, 2017

By: Ralph E. Sanders
RALPH E. SANDERS, Debtor

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

411 West Fourth Street, Suite 7160, Santa Ana, CA 92701

A true and correct copy of the foregoing document entitled (specify):

AMENDED STIPULATION TO EXTEND THE DEADLINE FOR FILING A MOTION TO DISMISS PURSUANT TO 11 U.S.C. §707(b) AND/OR AN ADVERSARY COMPLAINT OBJECTING TO THE DEBTOR'S DISCHARGE PURSUANT TO 11 U.S.C. § 727 FOR THE UNITED STATES TRUSTEE AND CHAPTER 7 TRUSTEE ONLY

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) May 8, 2017, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

SEE ATTACHED SERVICE LIST (IF APPLICABLE)

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On (date) May 8, 2017, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

SEE ATTACHED SERVICE LIST (IF APPLICABLE)

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) May 8, 2017, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

SEE ATTACHED SERVICE LIST (IF APPLICABLE)

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

May 8, 2017
Date

Michael Hauser
Print Name

/s/ Michael Hauser
Signature

ADDITIONAL SERVICE INFORMATION

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")**

<u>Name</u>	<u>Capacity</u>	<u>Email Address</u>
Weneta Kosmala	Ch. 7 trustee	ecf.alert+Kosmala@titlexi.com

SEE NEF FOR CONFIRMATION OF ELECTRONIC TRANSMISSION TO THE U.S. TRUSTEE AND ANY TRUSTEE IN THIS CASE, AND TO ANY ATTORNEYS WHO RECEIVE SERVICE BY NEF.

2. **SERVED BY U.S. MAIL**

Debtor:

Ralph E Sanders
1251 W Bishop St
Santa Ana, CA 92703

3. **SERVED BY (state method for each person served):**

PERSONAL DELIVERY, FACSIMILE OR EMAIL

Judge's Copy

Honorable Mark S. Wallace – bin on the 5th Floor